From: California Law360
To: Gorwood, Kathy
Subject: Atty"s "Possible Incompetence" May Save Coach Workers" Suit
Date: Friday, March 23, 2018 12:30:07 AM

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Friday, March 23, 2018

TOP NEWS

Atty's 'Possible Incompetence' May Save Coach Workers' Suit

A California federal judge said Thursday insufficient evidence prevented him from certifying a class of Coach store managers who say they were misclassified as overtime-exempt, but added he'd likely let the workers try again with another attorney rather than "punishing [them] for the possible incompetence of the lawyer who's representing them." Read more »

'Star Trek' Actor's Family Settles Suit Over Jeep Accident

"Star Trek" actor Anton Yelchin's parents have reached a confidential settlement with the makers of the Jeep Grand Cherokee and a gear shift they say led to their son's death after the car rolled down his driveway and pinned him against his mailbox, according to a filing in California state court. Read more »

Calif. High Court Weighs In On Anti-SLAPP Motion Deadlines

The California Supreme Court set a 60-day deadline for defendants wishing to strike causes of action in complaints they say run afoul of the Golden State's statute aimed at preventing lawsuits that threaten free speech, according to a ruling Thursday in a real estate contract fight. Read more »

Calif. Justices Say Colleges Have Duty To Protect Students

The California Supreme Court ruled Thursday that universities have a duty to protect students from foreseeable violence, reviving a suit over injuries sustained by a UCLA student stabbed in class by a fellow student with known mental health issues. Read more »

Security Biz Required Background Check To Use Toilet: Suit

U.S. Security Associates Inc. is facing a putative worker class action in California alleging the security services company prohibited employees from using the toilet unless they had background checks. Read more »

Calif. Bar Committee Has Anti-Competitive Bent, Suit Says

A San Jose law school slapped the State Bar of California with a federal antitrust lawsuit Wednesday, claiming an agency committee that reviews law school accreditation matters is structured to favor certain schools. Read more »

REAL ESTATE & DEVELOPMENT

HomeAway Challenging Santa Monica License Law In 9th Circ.

HomeAway gave notice Wednesday to the Ninth Circuit that it is appealing a lower court decision denying its and Airbnb's bid to stop enforcement of a Santa Monica, California, ordinance requiring residents using the home-sharing websites to be licensed. Read more »

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Gibson Dunn
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Green Savits
Greg Coleman Law
Greines Martin
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ENERGY & ENVIRONMENTAL

Chevron Suit Doomed By CERCLA Exclusion, 9th Circ. Says

The Ninth Circuit ruled Wednesday that an exclusion for petroleum substances in the Comprehensive Environmental Response, Compensation and Liability Act precluded a woman's claims that Chevron Capital Corp. was responsible for the pollution on her property, affirming a lower court's dismissal of her case. Read more »

Advocates Sue USDA Over Nix Of Organic Livestock Rule

Several nonprofits sued the U.S. Department of Agriculture in California federal court Wednesday over its decision to withdraw an Obama-era rule on organic livestock and poultry practices, saying the move will weaken organic food production standards. Read more »

INSURANCE

9th Circ. Backs UnitedHealthcare Win In Mental Rehab Suit

A Ninth Circuit panel on Wednesday backed a win for UnitedHealthcare in a suit alleging the insurer violated a LifeLock Inc. welfare benefit plan by denying coverage for a woman's mental health facility stay. Read more »

Aetna Fights Settlement Admin's Bid To Exit HIV Privacy Row

Aetna on Wednesday fought back against an attempt to throw out or transfer a suit it brought in Pennsylvania federal court against the settlement administrator it claims was responsible for mishandling sensitive policyholder information, exposing it to a $17 million proposed class action suit. Read more »

PRODUCT LIABILITY

9th Circ. Revives BMW Drivers' Noisy-Brakes Suit

The Ninth Circuit on Thursday revived a putative class action against BMW over expensive ceramic brakes that emit a loud, shrill squeal, saying driver Norik Barakezyan had fully alleged the noise was a manufacturing defect and a safety hazard. Read more »

Bosch Slams VW Car Owners' RICO Claims

German auto parts giant Bosch told a California federal judge on Wednesday that a proposed class of drivers who offloaded affected vehicles before Volkswagen's diesel emissions scandal broke in September 2015 didn't suffer any financial losses from the alleged racketeering activities so they don't have standing to sue. Read more »

GM Seeks To End Consumer Suit Over Oil-Guzzling Cars

General Motors LLC asked a California federal judge Thursday to dismiss a putative class action alleging that defects in its Chevy Equinoxes cause their engines to burn through oil, citing various warranty issues and saying the drivers had failed to show GM knowingly hid the defect and that it put them in danger. Read more »

PRIVACY & CONSUMER PROTECTION

Experian Hid Major Data Breach From Victims, Suit Says

The San Diego city attorney hit Experian Data Corp. with a suit in California court Wednesday, claiming the credit reporting agency failed to notify millions of data breach victims it had inadvertently shared their personal information with a Vietnamese teenager who sold the data to criminals online. Read more »

INTELLECTUAL PROPERTY

Zazzle Doesn't Owe Co. Atty Fees In Copyright Suit

Hawkins Parnell
Jenner & Block
Kantor & Kantor
Keller Rohrback
King Holmes
Kleinbard LLC
Labaton Sucharow
Latham & Watkins
Lewis Brisbois
Lieff Cabraser
Linklaters
Maranga Morgenstern
Morrison Mahoney
Motley Rice
Munger Tolles
Murphy Pearson
Ogletree Deakins
Outten & Golden
Panish Shea
Pomerantz LLP
Quinn Emanuel
Rimon PC
Rogers Joseph
Setareh Law Group
Sidley Austin
Simpson Thacher
Slaughter and May
Somach Simmons
Sullivan & Cromwell
Susman Godfrey
Vedder Price
Wanger Jones
Webb Law Firm
White & Case
Whitfield Bryson
WilmerHale
Wilson Sonsini
Yoka & Smith

COMPANIES

Aetna Inc.
Airbnb Inc.
American Council of Life Insurers
BMW of North America LLC
Bank for International Settlements
Bank of America Corporation
California State Teachers Employees' Retirement System
Chevron Corporation
Chipotle Mexican Grill, Inc.
Deutsche Bank AG
Dropbox Inc.
Experian
FCA US LLC

Custom-printing website Zazzle does not have to pay legal fees and costs to a publishing company against whom it lost a copyright trial, a California federal judge ruled Wednesday, because it made novel legal arguments and shouldn't be punished for them. Read more »

EMPLOYMENT

Former FedEx Worker Can Pursue Bias Claims, 9th Circ. Says

The Ninth Circuit ruled Thursday that FedEx Corporate Services Inc. must face a former sales executive's bias suit, saying she presented enough evidence that a supervisor discriminated against her and conducted a sham investigation into allegations she submitted false records as pretext to fire her. Read more »

UC Regents Fight Harassment Claims Against Ex-Exec

The University of California Board of Regents urged a California federal judge Thursday to grant it a quick win on a U.C. Berkeley administrator's sexual harassment claims against former vice chancellor for research Graham Fleming, arguing that the administrator waited too long to formally lob the allegations. Read more »

BENEFITS

Elon Musk Could Rake In Billions Under Compensation Plan

Tesla shareholders on Wednesday approved a gargantuan performance-based compensation package for the company's leader, Elon Musk, but he would need to grow the carmaker to rival Google's parent and other tech giants in order to receive all of its nearly $56 billion potential maximum value. Read more »

SECURITIES & WHITE COLLAR

Shkreli Cuts $1.5M Deal To End KaloBios Investors' Suit

KaloBios Pharmaceuticals Inc. shareholders asked a California federal judge on Wednesday to approve a $1.5 million deal to resolve claims against former KaloBios CEO Martin Shkreli, marking an end to a securities class action over Shkreli's legal woes. Read more »

Real Estate Exec Gets 2½ Years For Auction Bid-Rigging

A real estate investor convicted for conspiring to rig bids at foreclosure auctions in the San Francisco Bay Area has been ordered by a California federal judge to serve 30 months in prison and pay a nearly $1.4 million criminal fine, the U.S. Department of Justice said on Thursday. Read more »

PRIVATE EQUITY

Web Storage Giant Dropbox Prices $756M IPO Above Range

Venture-backed file-storage giant Dropbox Inc., advised by Wilson Sonsini Goodrich & Rosati PC, raised $756 million after pricing its highly anticipated initial public offering above its projected range on Thursday, representing the year's largest technology IPO. Read more »

Crypto-Focused Venture Capital Firm Closes $150M Fund

A San Francisco-based venture capital firm that focuses on blockchain technology and the "crypto-ecosystem" said Thursday it has closed its latest fund at $150 million, its largest fundraising to date. Read more »

NATIVE AMERICAN

Tribes Fight Calif. Farmers' Bid To Change Water Flow Order

Two California tribes urged a federal judge Wednesday not to modify a water flow order meant to protect salmon populations, arguing that the court doesn't have authority to grant a request from water users seeking to stop the flow of water because an appeal over the order is still pending. Read more »

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General Motors
Goldman Sachs Group Inc.
Google Inc.
HomeAway Inc.
Howden Insurance Brokers Ltd.
JPMorgan Chase & Co.
Jefferies Group Inc.
KaloBios Pharmaceuticals Inc.
Kurtzman Carson Consultants
LifeLock Inc.
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Newegg Inc.
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Regents of the University of California
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Robert Bosch GmbH
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Snap Inc.
Spotify Technology SA
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Title Source Inc.
United Auto Workers
Volkswagen
ZF Friedrichshafen AG
Zscaler Inc.

GOVERNMENT AGENCIES

Bureau of Reclamation
California Natural Resources Agency
Equal Employment Opportunity Commission
European Securities and Markets Authority
Hoopa Valley Tribe
Internal Revenue Service
National Highway Traffic Safety Administration
National Labor Relations Board
National Marine Fisheries Service
Securities and Exchange Commission
U.S. Department of Agriculture
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. Environmental Protection Agency
U.S. Secret Service
U.S. Supreme Court
United States District Court for the

EXPERT ANALYSIS

Opinion

Companies Should Avoid The BigLaw Bonus Structure

Since passage of the Trump tax plan last year, companies have been touting bonuses they've handed down to rank-and-file employees. This highlights the trend of employers favoring bonuses over pay raises in the belief that variable, short-term rewards are less risky to the business than permanent increases in labor costs. But law firms have been using this strategy for years — and there are dangers, says Michael Moradzadeh of Rimon PC.
Read more »

LEGAL INDUSTRY

Freshfields Reports 13.9% Gender Pay Gap In UK

Global law firm Freshfields Bruckhaus Deringer LLP has filed its gender pay gap report with the U.K. government, revealing a 13.9 percent gap between average hourly pay of male and female employees in its London and Manchester offices. Read more »

Law360's Weekly Verdict: Legal Lions & Lambs

Topping this week's legal lions list is a team of attorneys from Labaton Sucharow LLP who secured two SEC whistleblower awards worth roughly $83 million for three tipsters, the agency's largest award ever, while now-departed Latham & Watkins LLP Chair Bill Voge heads up the legal lambs list over the behavior, which included sending sexually explicit messages, that led to his resignation. Read more »

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Litigation Associate Attorney - Midlevel
Perkins Coie
San Francisco, California

Associate Attorney - Midlevel Emerging Companies & Venture Capital Law
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Electrical/Comp Sci Patent Agent
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Jones Day
Irvine, California

Intellectual Property Associate
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